



Waganakising Odawak

Little Traverse Bay Bands of Odawa Indians
Regina Gasco -Bentley, Tribal Chairperson
7500 Odawa Circle, Harbor Springs, Michigan 49740
Phone 231-242-1401 • Fax 231-242-1411

June 6, 2018

Re: FY 2019 Budget

I am vetoing this budget as it was not the Budget that was submitted by the Executive Branch. The Executive Branch staff did a tremendous job on ensuring the FY 2019 budget met the allocation as established by the Tribal Council's Allocation of General Funds Certified Motion 020818-03. (See Attachment 1). Under the Tribal Constitution, Tribal Council appropriates funds and enacts a budget formulation statute that allows for public input from the Tribal Membership. Further, WOS 2015-016 Tribal Government Budget Formulation and Modification statute section XI. B states if Tribal Council makes any deletions or additions to the Governmental Branch Budgets Tribal Council shall notify the appropriate entity by March 31st. Changes were made to the budget submitted by the Executive Branch during a Tribal Council meeting on May 3, 2018. The changes were made on a break from 3:52pm to 4:24 pm. Obviously this did not allow for public input or input from the Executive Branch as we were emailed the changed budget just minutes prior to the vote. (See Attachment 2).

Since the Executive Branch met all the guidelines pursuant to the Constitution, Statute, and Certified Motion, Tribal Council can either approve or disapprove the budget but not change the budget that was submitted by the Executive. Please refer to Article VI. Organization of the Government D. No branch of Government shall exercise the powers, duties or functions delegated to another branch. The Executive submits a proposed budget for the next fiscal year to the Tribal Council. Tribal Council appropriates the funds or chooses not to appropriate the funds. Tribal Council does not have the authority to change the Executives budget after it is submitted and is aligned with the target numbers as provided by the Tribal Council. I look forward to working with Tribal Council on this 2019 budget so services to our tribal citizens will not be interrupted. Please see our attached budget and resolution.

Respectfully submitted,

Regina Gasco-Bentley

Tribal Chairperson

Attachment 1

LITTLE TRAVERSE BAY BANDS OF ODAWA INDIANS
7500 Odawa Circle
Harbor Springs, MI 49740

CERTIFIED MOTION # 020818-03

Governmental Branches Allocation of General Funds for Fiscal Year 2019

WHEREAS The Waganakising Odawak Nation, known as the Little Traverse Bay Bands of Odawa Indians, and its citizens are vested with inherent sovereignty and rights of self-governance; and

WHEREAS The Little Traverse Bay Bands of Odawa Indians is a federally recognized Indian Tribe under Public Law 103-324, and is a party to numerous Treaties with the United States, the most recent of which are the Treaty of Washington of March 28, 1836 (7 Stat. 491) and the Treaty of Detroit of 1855 (11 Stat. 621); and

WHEREAS The Little Traverse Bay Bands of Odawa Indians is governed by a Tribal Constitution adopted by the Citizens of the Tribe on February 1, 2005;

WHEREAS in accordance with the Constitution, Tribal Council enacted a Budget Formulation Statute, WOS 2015-016 "Tribal Government Budget Formulation and Modification Statute;

WHEREAS according to WOS 2015-016, by February 15th of the prior fiscal year, Tribal Council shall approve the Governmental Branches allocation amount of general funds that each branch of government may utilize for their base budget for the following year;

WHEREAS the anticipated General Fund Revenue for Fiscal Year 2019 is approximately \$12,190,000 and use of General Fund – Fund Balance in the amount of \$368,000; and the allocated amounts of general funds are based on anticipated revenues, anticipated outlays, available funds and historical numbers for the last three years of actual spending by Governmental Branches.

Attach ment 1

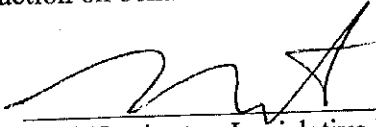
THEREFORE, BE IT RESOLVED the Governmental Branches allocation of the general funds is as follows: Legislative \$1,148,000; Judicial \$1,050,000; Prosecutor \$270,000; Election Board \$135,000; Executive \$9,955,000; for a total amount of \$12,558,000.

CERTIFICATION

As Tribal Council Legislative Leader and Tribal Council Secretary, we certify that this Certified Motion was duly approved by the Tribal Council of the Little Traverse Bay Bands of Odawa Indians at a regular meeting of the Tribal Council held February 8, 2018 at which a quorum was present, by a vote of 7 in favor, 0 opposed, 0 abstentions, 2 absent as recorded by this certification as an official action on behalf of Little Traverse Bay Bands of Odawa Indians.

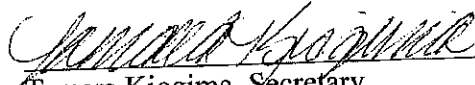
Date:

2/8/18


Fred Harrington Legislative Leader

Date:

02-08-18


Tamara Kiogima, Secretary

Attachment 2

Motion made by Councilor David Harrington and supported by Secretary Kiogima to post Little Traverse Bay Bands of Odawa Indians Odawa Construction Administration Holding Corporate Charter.

Vote: 6 - Yes, 0 - No, 0 - Abstained, 3 - Absent (Councilor Proctor, Treasurer Reyes, Councilor Bernard)

Motion carried.

Motion made by Councilor David Harrington and supported by Councilor Wemigwase to post Little Traverse Bay Bands of Odawa Indians Odawa Economic Affairs Holding Corporate Charter.

Vote: 6 - Yes, 0 - No, 0 - Abstained, 3 - Absent (Councilor Proctor, Treasurer Reyes, Councilor Bernard)

Motion carried.

Motion made by Councilor David Harrington and supported by Councilor Shananaquet to post Little Traverse Bay Bands of Odawa Indians Odawa Construction Corporate Charter.

Vote: 6 - Yes, 0 - No, 0 - Abstained, 3 - Absent (Councilor Proctor, Treasurer Reyes, Councilor Bernard)

Motion carried.

Motion made by Councilor David Harrington and supported by Secretary Kiogima to post Waganakising Odawak Statute Human Trafficking Statute to the Legislative Calendar in the Odawa Register as Sponsored by Councilor Emily Proctor.

Vote: 6 - Yes, 0 - No, 0 - Abstained, 3 - Absent (Councilor Proctor, Treasurer Reyes, Councilor Bernard)

Motion carried.

Motion made by Councilor David Harrington and supported by Councilor Wemigwase to post Waganakising Odawak Statute Sex Offense to the Legislative Calendar in the Odawa Register as Sponsored by Councilor Emily Proctor.

Vote: 6 - Yes, 0 - No, 0 - Abstained, 3 - Absent (Councilor Proctor, Treasurer Reyes, Councilor Bernard)

Motion carried.

Motion made by Councilor David Harrington and supported by Councilor McNamara to adopt Tribal Resolution Appropriation of Funds for the 2019 Fiscal Year Operating Budgets.

Roll Call Vote: Councilor Bernard – Absent, Councilor David Harrington – Yes, Councilor McNamara – Yes, Councilor Proctor – Absent, Councilor Shananaquet – No, Councilor Wemigwase – No, Treasurer Reyes – Absent, Secretary Kiogima – No, Legislative Leader Fred Harrington Jr. – Yes

Motion **fails**.

Attachment 2

3:52 p.m. Break

4:24 p.m. Meeting resumes

Motion made by Councilor McNamara and supported by Councilor Wemigwase to adopt Tribal Resolution Appropriation of Funds for the 2019 Fiscal Year Operating Budgets.

Roll Call Vote: Councilor Bernard – Absent, Councilor David Harrington – No, Councilor McNamara – Yes, Councilor Proctor – Absent, Councilor Shananaquet – Yes, Councilor Wemigwase – Yes, Treasurer Reyes – Absent, Secretary Kiogima – No, Legislative Leader Fred Harrington Jr. – Yes

Motion carried.

Motion made by Councilor David Harrington and supported by Councilor Wemigwase that Legislative Leader Harrington disclosed that he has an opportunity to sell some handmade paddles to the Tribe through the SPRING Grant, and Tribal Council acknowledges that there is not a conflict of interest. Vote: 5 - Yes, 0 - No, 1 – Abstained (Legislative Leader Fred Harrington Jr.), 3 - Absent (Councilor Proctor, Treasurer Reyes, Councilor Bernard) Motion carried.

4:48 p.m. **Motion** made by Councilor David Harrington and supported by Councilor Wemigwase to adjourn.

Vote: 6 - Yes, 0 - No, 0 - Abstained, 3 - Absent (Councilor Proctor, Treasurer Reyes, Councilor Bernard) Motion carried.

Next Tribal Council Meeting
Regular: May 17, 2018 at 9:00 a.m.

These Minutes have been read and are approved as corrected


Tamara Kiogima, Tribal Council Secretary

05-17-18
Date

LITTLE TRAVERSE BAY BANDS OF ODAWA INDIANS

7500 Odawa Circle

Harbor Springs, MI 49740

TRIBAL RESOLUTION #

Appropriation of Funds for the 2019 Fiscal Year Operating Budgets

WHEREAS The Waganakising Odawak Nation, known as the Little Traverse Bay Bands of Odawa Indians, and its citizens are vested with inherent sovereignty and right to self-governance;

WHEREAS the Little Traverse Bay Bands of Odawa Indians ("LTBB" or "Tribe") is a federally recognized Indian Tribe under Public Law 103-324, and is a party to numerous Treaties with the United States the most recent of which being the Treaty of Washington of March 28, 1836 (7 Stat. 491) and the Treaty of Detroit of 1855 (11 Stat. 621);

WHEREAS in accordance with the LTBB Constitution, Tribal Council shall enact an annual budget for the upcoming fiscal year. The budget shall identify all funding sources, appropriations of operating funds and Tribal enterprises. The Budget shall be a Tribal document, dispersed to Tribal members at the annual meeting of the Tribal Membership, or made available by mail as requested by Tribal members;

WHEREAS in accordance with the LTBB Constitution, the Chairperson shall submit a proposed budget for the next fiscal year to the Tribal Council;

WHEREAS the Tribal Chair submitted a budget to Tribal Council, on March 15, 2018, which was not approved by the Tribal council;

WHEREAS Waganakising Odawak Statute 2015-016, Section XIII.5. states that if the Chair vetoes the budget then a proposed signed tribal resolution and a new proposed budget along with the veto to Tribal Council within the 30-day time period allowed for the veto

CERTIFICATION

As the Tribal Council Legislative Leader and Tribal Council Secretary, we certify that this Tribal Resolution was duly adopted by the Tribal Council of the Little Traverse Bay Bands of Odawa Indians at a regular meeting of the Tribal Council held on xx, 2017 at which a quorum was present, by a vote of in favor, opposed, abstentions, and absent as recorded by this roll call:

	In Favor	Opposed	Abstained	Absent
Frank Bernard	_____	_____	_____	_____
David Harrington	_____	_____	_____	_____
Fred Harrington	_____	_____	_____	_____
Tamara Kiogima	_____	_____	_____	_____
Dexter McNamara	_____	_____	_____	_____
Emily Proctor	_____	_____	_____	_____
Marcella R. Reyes	_____	_____	_____	_____
Julie Shananaquet	_____	_____	_____	_____
Shanna Wemigwase	_____	_____	_____	_____

Date: _____

Legislative Leader, Fred Harrington

Date: _____

Secretary, Tamara Kiogima

Received by the Executive Office on _____ by _____

Pursuant to Article VII, Section D, Subsection 1 of the Little Traverse Bay Bands of Odawa Indians Constitution adopted on February 1, 2005, the Executive concurs with this action of the Tribal Council.

Date: _____

Regina Gasco Bentley, Tribal Chairperson

2019 REVENUE SOURCES	2019 AFC Proposed Budget
Odawa Petoskey Casino Revenue	10,960,000.00
Odawa Mackinaw Casino Revenue	540,000.00
OEDMI Revenue Phase I	90,000.00
Biindigen Revenue	60,000.00
THPO Section 106 Fee Revenue	240,000.00
Sales Tax Sharing Revenue with State of Michigan	100,000.00
Hotel Room Tax	100,000.00
All Other Revenue (Including Regulatory Licensing Fees)	100,000.00
Fund Balance Used	368,000.00
Total General Fund Revenue	12,558,000.00
Employee Health Insurance Contributions	30,940.00
Fringe Revenue Collected in 2019 and Fund Balance	4,411,060.00
Space Cost Revenue Collected in 2019 and Fund Balance	1,432,750.00
Indirect Cost Pool Revenue Collected in 2019 and Fund Balance	4,316,684.08
Copy Costs Collected in 2019 and Fund Balance	64,000.00
Total Cost Recovery Revenue	10,255,434.08
Murray Road Revenue	100,500.00
State of Michigan CCF Funds	55,000.00
Third Party Billing Current Year Revenue for Pharmacy	889,000.00
Third Party Billing Current Year Revenue for Health	295,675.00
Third Party Billing Fund Balance for Health	1,572,900.00
ATR Billing Revenue for Health	55,000.00
IHS Revenue	5,050,000.00
BIA Revenue	3,632,075.00
NAHASDA Revenue Current Year and Carryforward	720,000.00
Total Special Revenue	12,370,150.00
Total 2018 Revenue & Fund Balances Used	35,183,584.08

2019 EXPENDITURES BY TYPE	2019 AFC Proposed Budget
Executive Branch General Fund	9,955,000.00
Legislative Branch General Fund	1,148,000.00
Judicial Branch General Fund	1,050,000.00
Prosecutor General Fund	270,000.00
Election Board General Fund	135,000.00
Economic Development Projects General Fund	0.00
Total General Fund Program Expenditures	12,558,000.00
Space Cost Funds Health and Other Gov.	1,432,750.00
Indirect Cost Pool Fund	4,316,684.08
Fringe Benefit Fund Expenditures	4,442,000.00
Copier Fund	64,000.00
Total Cost Recovery Pool Expenditures	10,255,434.08
NAHADSA Expenditures	720,000.00
Murray Road Expenditures	100,500.00
Human Services State of Michigan CCF Expenditures	55,000.00
Health Park Events & Activities Expenditures Third Party	295,675.00
Health Park Pharmacy Expenditures Third Party Billing	889,000.00
Health Park ATR Expenditures	55,000.00
Health Park IHS Expenditures	6,622,900.00
BIA Expenditures	3,632,075.00
Total Special Revenue Expenditures	12,370,150.00
Total 2019 Expenditures Tribal-Wide	35,183,584.08

2019 BUDGET TOTALS BY BRANCH	2019 AFC Proposed Budget
General Funds	9,955,000.00
Cost Recovery Funds	9,553,200.00
Special Revenue Funds	12,370,150.00
Total Executive Branch 2019 Budget	31,878,350.00
General Funds	1,148,000.00
Cost Recovery Funds	702,234.08
Total Legislative Branch 2019 Budget	1,850,234.08
Total Judicial Branch 2019 Budget	1,050,000.00
Total Prosecutor 2019 Budget	270,000.00
Total Election Board 2019 Budget	135,000.00
Total Economic Development 2019 Budget	0.00
Total 2019 Expenditures Tribal-Wide	35,183,584.08

GENERAL FUND		2019 Executive Proposed Budget	unding Type %	Branch %
Per Capita Distribution		2,304,000.00		
Distribution Spending		2,304,000.00	18.35%	Distributions
Donations, Sponsorships, Grants & Political Con		50,000.00		
Donation Spending		50,000.00	0.40%	Donations
Building and Zoning		18,800.00		
Capital Improvements		248,575.00		
Department of Commerce		75,000.00		
Property Taxes (including OFI) non-trust parcels		37,000.00		
Regulatory Director		189,150.00		
Internal Audit		512,900.00		
Licensing		242,500.00		
Economic Development Spending		1,323,925.00	10.54%	Economic Development
General Fund Support Law Enforcement		165,750.00		
General Fund Support NRD Administration		1,225.00		
Child Care Assistance		36,375.00		
Education Cultural Preservation		310,300.00		
Education Assistance		1,399,600.00		
Elders		1,092,000.00		
Employee Appreciation		14,000.00		
Foster Care Assistance		27,500.00		
Funeral Assistance		303,125.00		
Human Services		571,400.00		
Homecoming Jingtamok		63,450.00		
Language		300,800.00		
Cemetery Maintenance		1,000.00		
NRD Hatchery		292,200.00		
NRD Treaty Rights Enhancement		62,450.00		
Environmental Services Support		34,200.00		
Program Support for Grant Matches, Indirect & M		200,000.00		
Sovereignty day celebration		9,700.00		
Traditional Jingtamok		5,850.00		
Winter Solstice Party		1,250.00		
Michigan Indian Family Olympics		0.00		
Youth Services		302,000.00		
Adult Detention Costs		6,000.00		
General Welfare Spending		5,200,175.00	41.41%	General Welfare
Annual Community Meeting		13,500.00		
Archives		65,400.00		
Tribal Chairman		583,000.00		
Commissions-Citizenship		9,300.00		
Commissions-Education		18,000.00		
Commissions-Elders		22,000.00		
Commissions-Housing		13,000.00		
Commissions-Indian Child Welfare		30,000.00		
Commissions-Liquor		2,900.00		
Commissions-Natural Resources		50,000.00		
Commissions-Planning		2,000.00		
Commissions-Regulatory		60,000.00		
Accounting		94,500.00		
Communications		113,300.00		
Government Operations Spending		1,076,900.00	29.30%	Tribal Government
Total Executive Branch General Fund		9,955,000.00		79.27% Executive Branch

GENERAL FUND	2019 Executive Proposed Budget
Contribution to Component Unit - Burial Board	15,000.00
Legislative - Tribal Historic Preservation Officer (I	103,000.00
Legislative - Legal Department	600,000.00
Legislative - Office of Finance and Revenue (Tre	75,000.00
Legislative - Tribal Council	350,000.00
Legislative - Land Acquisition Fees	5,000.00
Total Legislative Branch General Fund	1,148,000.00
Judicial - Tribal Court	795,000.00
Judicial - Appellate Court	75,000.00
Judicial - Drug Court	180,000.00
Total Judicial Branch General Fund	1,050,000.00
Total Prosecutor General Fund	270,000.00
Total Election Board General Fund	135,000.00
Total Economic Development General Fund	0.00
Total General Fund Tribal-Wide	12,558,000.00

unding Type %

Branch %

9.14% Legislative Branch

8.36% Judicial Branch

2.15% Prosecutor

1.08% Election Board

100.00%

100.00%

COST RECOVERY FUNDS	2019 Executive Proposed Budget
Facility/Building Expenses	697,000.00
Maintenace Staff	447,000.00
Health Park Facility & Maintenance	288,750.00
Space Costs	1,432,750.00
Chairman	303,900.00
Management Information Systems	369,300.00
Direct Services Administration	360,300.00
Communication	98,750.00
Archives and Records	250,000.00
Human Resources	373,000.00
Planning	187,800.00
Accounting	1,206,400.00
Safety	90,000.00
Geographic Information Systems	199,000.00
Grant Writers	176,000.00
Total Executive Branch Indirect Funds	3,614,450.00
Fringe Line Expenditures total 4,442,000. Fund Balance 277,173; 2019 Fringe Revenue of 3,874,100; 2019 Employ	
Fringe Benefits Pool-Line Item Expenditures	4,442,000.00
Copier Fund	64,000.00
Copier & Fringe	4,506,000.00
Total Executive Branch Cost Recovery	9,553,200.00
Indirect Council	276,450.81
Indirect Treasury	64,986.06
Indirect Legal	360,797.21
Total Legislative Branch Indirect	702,234.08
Total Indirect Cost Pool Tribal-Wide	4,316,684.08
Total Tribal-Wide Cost Recovery	10,255,434.08

REVENUES & FEDERAL FUNDS	2019 Executive Proposed Budget
NAHASDA Current Year HUD Revenue	650,000.00
NAHASDA Rental Revenue	70,000.00
Total HUD Planned	720,000.00
Murray Road Revenue	100,500.00
State of Michigan CCF Funds for Human Services	55,000.00
3rd Party Billing Fund Balance for Health Shortfall	1,572,900.00
3rd Party Billing Revenue Clinic for Current Year Activity	295,675.00
3rd Party Billing Revenue Pharmacy for Current Year Activity	889,000.00
3rd Party Billing Revenue ATR Revenue for Current Year Activity	55,000.00
Total Revenue Collected Spending	2,968,075.00
IHS Dental	909,600.00
IHS Administration	341,800.00
IHS Clinic	1,759,800.00
IHS Purchased Referred Care	2,323,400.00
IHS Community Outreach	642,100.00
IHS Behavioral Health	646,200.00
IHS Pharmacy	0.00
Third Party Revenue Fund Balance Used - shown above	(1,572,900.00)
Total Health Department Federal Funds Spending	5,050,000.00
BIA CTGP and LES Law Enforcement	1,163,250.00
BIA CTGP Enrollment	230,375.00
BIA CTGP Education	340,000.00
BIA CTGP NRD Wildlife	71,750.00
BIA CTGP Environmental Water Resources	46,300.00
BIA CTGP NRD Administration	348,000.00
BIA CTGP Human Services	0.00
BIA CTGP Tribal Court	0.00
BIA RPI CORA	117,000.00
BIA RPI NRD Conservation	362,000.00
BIA RPI NRD Treaty Rights Implementation	72,900.00
BIA RPI NRD Wildlife	521,000.00
BIA RPI NRD Fisheries	359,500.00
Total BIA Planned	3,632,075.00
Total Revenue Earned & Federal Funds	12,370,150.00